



## Legislation Text

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**File #:** 2022-0193, **Version:** 1

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**To:** Sonoma County Board of Supervisors  
**Department or Agency Name(s):** District Attorney  
**Staff Name and Phone Number:** Shane Lewis 565-3150  
**Vote Requirement:** Majority  
**Supervisorial District(s):** Countywide

**Title:**

District Attorney's Office Appointment of Retiree Extra Help

**Recommended Action:**

Pursuant to Government Code §7522.56, approve the appointment of Barbara Nanney as a Deputy District Attorney IV Retiree Extra-Help, in order to fill a critically needed position within 180 days of her retirement, with an appointment date as early as March 22, 2022.

**Executive Summary:**

Pursuant to the California Public Employees' Pension Reform Act (PEPRA), Government Code §7522.56, an exception can be made to reappoint a retiree as extra-help provided the governing body certifies that the appointment is necessary to fill a critically needed position in those circumstances where 180 days from the date of retirement has not yet passed. This approval must be in a noticed public meeting and not on a consent calendar. The District Attorney's Office is requesting the appointment of Barbara Nanney as a Deputy District Attorney IV in a retiree extra-help capacity to provide assistance during FY 21/22 and FY 22/23 to assist in the investigation, filing and the prosecution of criminal cases and post-conviction relief resulting from Senate Bill 1437.

**Discussion:**

Pursuant to the California Public Employees' Pension Reform Act (PEPRA), Government Code §7522.56, an exception can be made to reappoint a retiree as extra-help provided the governing body certifies that the appointment is necessary to fill a critically needed position in those circumstances where 180 days from the date of retirement has not yet passed. This approval must be in a noticed public meeting and not on a consent calendar. PEPRA includes other requirements in order for a retiree to be eligible for an Extra-Help appointment, such as not having accepted a retirement incentive and not having accepted unemployment arising out of prior public appointment. The individual and delegated department staff have completed the Retiree Extra-Help Compliance Form certifying the appropriateness of the appointment.

Barbara Nanney served as a Deputy District Attorney IV and retired on December 13, 2021. She was with the County for over 16 years and prosecuted complex criminal matters. The assignment is temporary in nature and not expected to be ongoing.

The District Attorney's Office has consulted with the Human Resources Department which is supportive of the recommended action.

In accordance with Government Code section 7522.56, the District Attorney Office is asking the Board certify as follows:

- Barbara Nanney’s appointment to Deputy District Attorney IV is necessary to fill a critically needed position within 180 days of her retirement date;
- Barbara Nanney did not accept retirement incentives upon her retirement;
- Barbara Nanney’s appointment shall not exceed 960 hours per year; and
- Barbara Nanney meets the requirement of being of normal retirement age.

If the Board of Supervisors makes the foregoing certifications, Barbara Nanney will be hired as of March 22, 2022, as a Deputy District Attorney IV, Retiree Extra-Help.

**Strategic Plan:**

N/A

**Prior Board Actions:**

None

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 21-22 Adopted</b>	<b>FY22-23 Projected</b>	<b>FY 23-24 Projected</b>
Budgeted Expenses	\$25,000	\$50,000	
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$25,000</b>	<b>\$50,000</b>	
<b>Funding Sources</b>			
General Fund/WA GF	\$25,000	\$50,000	
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$25,000</b>	<b>\$50,000</b>	

**Narrative Explanation of Fiscal Impacts:**

The position will be funded in FY 21-22 with General Fund salary savings due to vacant positions, and FY 22-23 costs will be included in the department’s proposed budget for next fiscal year.

<b>Staffing Impacts: None</b>			
<b>Position Title (Payroll Classification)</b>	<b>Monthly Salary Range (A-I Step)</b>	<b>Additions (Number)</b>	<b>Deletions (Number)</b>

**Narrative Explanation of Staffing Impacts (If Required):**

This is a Retiree Extra-Help appointment; no permanent allocations are being added or changed.

**Attachments:**

None

**Related Items "On File" with the Clerk of the Board:**

None